

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

TONY CACCAVALE, ANTHONY
MANGELLI, and DOUGLAS SORBIE,
individually and on behalf of all others
similarly situated,

Plaintiffs,

-against-

HEWLETT-PACKARD COMPANY A/K/A
HP INC., HEWLETT PACKARD
ENTERPRISE COMPANY and UNISYS
CORPORATION,

Defendants.

Civil Action No. 20-CV-00974 (GRB)(AKT)

**DECLARATION OF ADAM N.
SARAVAY IN FURTHER SUPPORT OF
DEFENDANTS' MOTION TO DISMISS**

Adam N. Saravay, an attorney admitted to practice in the United States District Court of the Eastern District of New York, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, as follows:

1. I am a partner in the law firm of McCarter & English, LLP, counsel for Defendants HP Inc., f/k/a Hewlett-Packard Company, and Hewlett Packard Enterprise Company.
2. I submit this declaration in support of the joint motion of Defendants HP Inc., f/k/a Hewlett-Packard Company, Hewlett Packard Enterprise Company, and Unisys Corporation to dismiss Plaintiffs' First Amended Complaint for the purpose of providing copies of materials cited in Defendants' reply brief.
3. Attached as **Exhibit A** is a copy of New York Labor Law § 198(1-a) as of 1993.
4. Attached as **Exhibit B** is a copy of NYSDOL Comm'r Order against IKEA U.S., Inc. dated Oct. 7, 1994.
5. Attached as **Exhibit C** is a copy of Wah Chan Wong v. Comm'r of Labor, Docket

No. PR 12-090, Resolution of Decision (N.Y. Indust. Bd. of Appeals Oct. 26, 2016).

6. Attached as **Exhibit D** is a copy of Sheng Wang Zhang v. Comm'r of Labor, Docket No. PR 12-180, Resolution of Decision (N.Y. Indust. Bd. of Appeals Jul. 13, 2016).

7. Attached as **Exhibit E** is a copy of Popermhem v. Comm'r of Labor, Docket No. PR 13-153, Corrected and Reissued Resolution of Decision (N.Y. Indust. Bd. of Appeals Feb. 5, 2016).

8. Attached as **Exhibit F** is a copy of Gerson v. Comm'r of Labor, Docket No. PR 10-361, Resolution of Decision (N.Y. Indust. Bd. of Appeals Nov. 5, 2014).

9. Attached as **Exhibit G** is a copy of New York Labor Law c. 31, § 196 as of 1930.

10. Attached as **Exhibit H** is a copy of New York Session Law 1890, Ch. 388 §§ 1–2.

11. Attached as **Exhibit I** is a copy of New York Gen. Laws, Ch. 32, Art. 1 § 11.

12. Attached as **Exhibit J** is a copy of New York Session Law 1966, Ch. 548 § 191.

13. Attached as **Exhibit K** is a copy of the amendments to New York Labor Law § 198.

14. Attached as **Exhibit L** is a copy of excerpts of N.Y. Bill Jacket, 2010 S.B. 8380, Ch. 564.

Dated: September 11, 2020

By: /s/ Adam N. Saravay

Adam N. Saravay, Esq.
McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07101-0652
(973) 622-4444
asaravay@mccarter.com